

REMARKS

This application has been reviewed in light of the Office Action dated September 4, 2008. By the present amendment, Claims 1, 3, 4, 8, 14, and 16 have been amended, and Claim 18 has been cancelled. Claims 1-17 and 19-36 are pending in the application. No new matter has been added. The Examiner's reconsideration of the rejection in view of the foregoing amendments and the following remarks is respectfully requested.

By the Office Action, Claims 1, 3, 5, 7-9, 12, 15-17, 24, 25, 27 and 31 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,434,529 to Walker et al (hereinafter "Walker"). Moreover, Claims 10-11, 13, 26, and 28-29 stand rejected under 35 U.S.C. §103(a) as being obvious in view of U.S. Patent Publication No. 6,434,529 to Walker et al (hereinafter "Walker"). Further, Claims 2, 4, 6, 14, 18-20, 23, and 30 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Walker in view of U.S. Patent No. 6,839,670 to Stammmler (hereinafter "Stammmler"). Also, Claims 21 and 22 stand rejected under 35 U.S.C. §103(a) as being obvious in view of Walker in view of U.S. Patent No. 6,434,520 to Kanevsky et al. (hereinafter "Kanevsky"). Additionally, Claims 32-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker, in view of U.S. Patent Publication No. 2002/0111803 to Romero (hereinafter "Romero") and further in view Stammmler.

The independent claims in the case are Claims 1, 16, and 32.

It is respectfully asserted that none of the cited references teach or suggest the following limitations now recited in amended Claim 1:

decoding at least one word in acoustic data representing an acoustic

signal that comprises a human utterance and determining acoustic word

boundaries within the acoustic data;

extracting at least one explicit command in a decoded utterance using a current recognition vocabulary;

extracting, in the decoded utterance using the current recognition vocabulary, at least one implicit command related to the at least one explicit command;

changing to a different recognition vocabulary responsive to the at least one implicit command; and

identifying acoustic data segments in the utterance that are data parts of at least the at least one explicit command based on the acoustic word boundaries and using at least the different recognition vocabulary

For example, Walker is silent with respect to explicit and implicit commands, let alone “changing to a different recognition vocabulary responsive to the at least one implicit command” and “identifying acoustic data segments in the utterance that are data parts of at least the at least one explicit command based on the acoustic word boundaries and using at least the different recognition vocabulary” as recited in Claim 1. Moreover, the remaining references do not cure the deficiencies of Walker, and are silent with respect to the above recited limitations of Claim 1.

Hence, Claim 1 is patentably distinct and non-obvious over the cited references for at least the reasons set forth above.

Moreover, it is respectfully asserted that none of the cited references teach or suggest the following limitations now recited in amended Claim 16: “executing the at least one command utilizing undecoded information in the acoustic voice data”. The preceding amendments were previously in now cancelled Claim 18.

The Examiner has cited column 4, lines 60-62 and column 9, lines 19-29 of Stammmler as disclosing the same, reasoning the following at page 16 of the pending Office Action:

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have used the feature of executing the at least command in the utterance using undecoded acoustic data as taught by Stammmler for Walker's method because Stammmler provides a classification unit for the speaker independent recognizer (Fig. 2) that is able to recognize and separate filler phonemes or garbage words. Garbage words are language complements, which are added by the speaker -unnecessarily- to the actual speech commands, but which are not part of the vocabularies of the speech recognizer (Col. 9, lines 18-25).

The Applicant respectfully disagrees with the Examiner's reading of Stammmler. Claim 16 recites “executing the at least one command utilizing undecoded information in the acoustic voice data” (emphasis added). Hence, it is respectfully asserted that such undecoded information as recited in Claim 16 does not corresponding to garbage words. For example, as explicitly defined in Stammmler and relied upon by the Examiner,

garbage words refer to words unnecessarily added by the speaker to the actual speech command. However, the undecoded information in Claim 16 is, in fact, necessarily added to the actual speech command since it is utilized to execute the command in the first place. Hence, given the recited purpose of the undecoded information (i.e., used to execute the command), which is completely contrary to the definition of garbage words defined in Stammmler, it is respectfully asserted that none only does Stammmler not disclose the above recited limitations of Claim 16, but Stammmler teaches away from the same. Also, it is respectfully asserted that the remaining references do not cure the deficiencies of Stammmler, and are silent with respect to the above recited limitations of Claim 16.

Hence, Claim 16 is patentably distinct and non-obvious over the cited references for at least the reasons set forth above.

Further, it is respectfully asserted that none of the cited references teach or suggest the following limitations now recited in amended Claim 32: “at least one program that executes label-identified commands and processes remaining portions of the utterance including processing audio data parts separately from the commands using a different vocabulary, the vocabulary being selected in accordance with at least one command in the utterance”.

The Examiner has cited column 9, lines 43-51 and column 5, lines 36-41 of Stammmler as disclosing the same, reasoning the following at page 23 of the pending Office Action:

“(Col. 9, lines 43-51 and Col. 5, lines 36-41 clearly provide examples where a command is processed with a speaker-independent vocabulary and accordingly the audio data is processed

by a speaker-dependent vocabulary.)” The Applicant respectfully disagrees with the Examiner’s reading of Stammmler.

For example, processing the audio data by a speaker-dependent vocabulary as disclosed in Stammmler does not correspond to a vocabulary selected in accordance with at least one command in the utterance as recited in Claim 32 but rather corresponds to a vocabulary selected in accordance with a current speaker. That is, a current speaker is not a command, let alone a command in the utterance as recited in Claim 32.

Hence, Stammmler does not teach or suggest the above-recited limitations of Claim 32.

Also, it is respectfully asserted that the remaining references do not cure the deficiencies of Stammmler, and are silent with respect to the above recited limitations of Claim 32.

Hence, none of the cited references, either taken singly or in any combination, teach or suggest all the above recited limitations recited in independent Claims 1, 16, and 32.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP §2131, citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art” (MPEP §2143.03, citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). “If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious” (MPEP §2143.03, citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

Thus, Claims 1, 16, and 32 are patentably distinct and non-obvious over the cited

references for at least the reasons set forth above.

Claims 2-15 depend from Claim 1 or a claim which itself is dependent from Claim 1 and, thus, include all the limitations of Claim 1. Claims 17 and 19-31 depend from Claim 16 or a claim which itself is dependent from Claim 16 and, thus, include all the limitations of Claim 16. Claims 33-36 depend from Claim 32 or a claim which itself is dependent from Claim 32 and, thus, include all the limitations of Claim 32. Accordingly, Claims 2-15 and 33-36 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claims 1 and 32, respectively, and Claims 17 and 19-31 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above with respect to Claim 16.

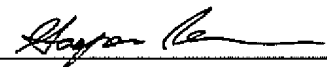
Reconsideration of the rejections is respectfully requested.

In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's IBM Deposit Account No. 50-0510.

Respectfully submitted,

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